THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.3271 of 2007

Dated:05.03.2007

Between:

Pothuraju Gopaiah.

...PETITIONER

and

The Government of Andhra Pradesh,
rep. by Principal Secretary,
Revenue Department, Hyderabad, and others.

...RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.3271 of 2007

ORDER:

The petitioner and his brother allegedly purchased land in survey No.416/A (admeasuring Ac.1.16 gts) and survey No.416/AA (admeasuring Ac.0.28 gts) situated at Velimela Village, Ramachandrapuram Mandal, Medak District, under a registered sale deed dated 13.12.2004. They made an application on 25.07.2005 to fourth respondent, namely, the Mandal Revenue Officer (MRO) requesting for issuance of pattadar passbooks/title deeds (PPBs/TDs). They allege that purporting to obey the circular instructions of second respondent dated 30.10.2006, fourth respondent did not take any action on the application, which is arbitrary and illegal. Therefore, the petitioner seeks a direction to fourth respondent to consider said application as per the provisions of the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971.

A perusal of the circular dated 30.10.2006 issued by second respondent would show that RDOs/MROs were directed to issue PPBs/TDs if there is no Government interest involved and that all cases relating private lands can be cleared by them. Therefore, the impugned circular of second respondent in no way results in any grievance to the petitioner. Indeed as rightly pointed out by the learned Assistant Government Pleader for Revene (General-T), fourth

respondent issued a memo dated Nil.January, 2007, advising the petitioner to produce certified copies of as many as eleven documents. Therefore, inaction on the part of fourth respondent cannot be presumed. The learned counsel for the petitioner, however, submits that all the documents asked for are very much available in the office of fourth respondent. This cannot be accepted. When the petitioner and his brother approached fourth respondent for PPBs, it is incumbent on their part to produce all the documents, as specified by fourth respondent, showing that they have right to claim PPBs. The petitioner may approach fourth respondent and comply with the requirements.

The writ petition is wholly misconceived and the same is accordingly dismissed.

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(V.V.S.RAO, J)

05th March, 2007
ghn